

THE PAPACY,
SCOTLAND AND
NORTHERN ENGLAND,
1342—1378

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INTRODUCTION

The period in the fourteenth century during which the Papacy was based north of the Alps is one which has long invited comment and controversy. From contemporaries such as the scholar and author Petrarch and the Roman revolutionary Cola di Rienzo down to our own day, the lengthy absence of the Holy See from its traditional home in the Eternal City has often been regarded as an aberration, an episode in papal history which was neither constructive nor justifiable. But the exile of the bishop of Rome in distant Avignon was not undertaken lightly; it was a consequence of the endemic political and inter-familial strife in much of Italy and of the threat to the pope's personal security which this occasioned. At the turn of the century the lordly and antagonistic Boniface VIII had played his part both in the factional struggles of the Italian cities and in arousing controversies in which the respective powers of church and state had been debated anew; he was ultimately to be assaulted in his own residence at Anagni by a force which included agents of the king of France as well as representatives of Italian families who had suffered at the hands of the pope. As Dante said, Christ was made captive in the person of his Vicar.

While some of Boniface VIII's problems were of his own making, there were nonetheless considerable attractions for the popes in living north of the Alps. For all their professions of desire to return to Rome – a journey actually undertaken by both Urban V and Gregory XI – the pontiffs from 1305 to 1378 are almost invariably called the popes of Avignon. For it was in that city on the Rhône that the papal curia was based for much of that period. A new papal palace was constructed and beautified; and the institutions of papal government found a secure and semi-permanent home far from the turmoil of Rome and free from the constraints imposed by the peripatetic nature of the late thirteenth-century Papacy. This stability was a fertile breeding-ground for much of the centralisation and bureaucratisation of church life which was

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such a feature of the period. Avignon was also much closer than was Rome to the major secular powers of the Latin West, France and England; as a capital of the western church it was more convenient than Rome because it was more central to the world in which papal authority was recognised.

Avignon was not then part of the kingdom of France, but the court which grew up there was predominantly French both in personnel and in taste. All the popes between 1305 and 1378 hailed from French territory, and many of the cardinals they created were also French. The Roger family from the Limousin provided two popes, Clement VI and Gregory XI, and Clement's brother Hugh was also elected in 1362, only to decline the honour; other members of the family too became cardinals. The Frenchness of the curia had, however, its disadvantages. Many of the cardinals and curial officials were unenthusiastic about the Papacy returning to Italy, whatever historical justification there might be for it; to some extent this reluctance occasioned the split in the Sacred College after the election of the Neapolitan Bartholomew Prignano as Urban VI in 1378 and provoked the Great Schism which followed. The division of western Christendom for nearly forty years, and the need for the rival popes to grant concessions widely in order to maintain the support of secular powers, irretrievably weakened the authority and the mystique of the medieval Papacy. In institutional terms, therefore, the Papacy can be said to have reached its zenith in the middle of the fourteenth century, which makes study of the period particularly instructive.

Many scholars have directed their attention towards the Avignon Papacy, but most have concentrated on affairs at the centre. Some have studied the outlook and philosophy of individual popes,¹ or the organisation and structure of the papal curia itself.² Others have examined the major political or military issues of the time from the standpoint of the Papacy: its role in the interminable negotiations aiming to settle the territorial, juridical and dynastic conflicts between Plantagenet and Valois;³ its wars in Italy;⁴ or its sponsorship and direction of the crusade in its various manifes-

¹ E.g. D. Wood, *Clement VI: The Pontificate and Ideas of an Avignon Pope* (Cambridge, 1989); P. R. Thibault, *Pope Gregory XI: The Failure of Tradition* (Lanham, 1986).

² B. Guillemain, *La cour pontificale d'Avignon (1309–1376): étude d'une société* (Paris, 1962).

³ E.g. E. Déprez, *Les préliminaires de la Guerre de Cent Ans: la Papauté, la France et l'Angleterre* (Paris, 1902). See also below, n. 20.

⁴ E.g. G. Mollat, *The Popes at Avignon, 1305–1378*, trans. J. Love (London, 1963), 67–189.

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tations.⁵ Readable and reliable general histories⁶ have made use of this research to draw attention to the wide range of matters which came to the attention of the Avignon popes, and how they dealt with the political, fiscal and spiritual problems which they faced.

Rather less work has been done on how the policies of the Avignon popes, enshrined within the elaborate framework of canon law and illuminated by the regulations for the Chancery which each pontiff laid down,⁷ actually affected the lives of clerks and lay people in particular localities. It is neither original nor profound to point out that the enforcement of a law or the execution of a measure is not necessarily as straightforward as the formulation of a policy. But it is frequently well worth while to consider that essential feature of all governmental activity. Medieval popes claimed sovereign power, at least over those affairs which fell within the ecclesiastical sphere, and the definition of that area of authority was often extremely broad. They claimed a fullness, a plenitude, of power; they had a right to intervene in virtually all aspects of church business and even in areas which temporal monarchs claimed for themselves. But they could exercise that power only as far as it was accepted by others, whether in theory or, more importantly, in practice.

It would be idle to speculate as to the extent to which the inhabitants of Roman Christendom understood the theoretical basis which underpinned papal plenitude of power. The legal and philosophical arguments are extremely complicated, and the academic controversies which raged in the universities and at the curia must surely have passed by the great majority of contemporaries, including many of those high in the ecclesiastical hierarchy. True, the arguments of Ockham and others were put at the disposal of the pope's opponents such as Lewis IV, claimant to the imperial throne, but this was largely for purposes which were nakedly political; the ideas of those who opposed what they saw as papal arrogance had to be formulated in the same legal, philosophical and theological terms as those of the pope's defenders. But none of this can have influenced – except perhaps very tangentially – the

⁵ N. Housley, *The Avignon Papacy and the Crusades, 1305–1378* (Oxford, 1986). See also A. Luttrell, 'The crusade in the fourteenth century', in *Europe in the Late Middle Ages*, ed. J. R. Hale, J. R. L. Highfield and B. Smalley (London, 1965), 122–54.

⁶ Two works in English translation are Mollat, *Popes*; and Y. Renouard, *The Avignon Papacy, 1305–1403*, trans. D. Bethell (London, 1970).

⁷ For these see *Die päpstlichen Kanzleiregeln von Johannes XXII bis Nicolaus V.*, ed. E. von Ottenthal (Innsbruck, 1888).

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attitude of the vast majority of fourteenth-century Christians towards the Holy See.

There was, however, a deep-rooted acceptance of papal authority, especially in the spiritual sphere. The popes were approached for indulgences, dispensations and favours, which implies both a recognition that the Holy See could legitimately offer a means of release from the demands of canon law or from the pains of purgatory, and a belief in the ultimate efficacy of papal favour. The same attitude also underpinned the use of excommunication and other canonical sanctions, whereby the Papacy imposed its authority on those who were inclined to disobey it. The Papacy was also a fount of justice; it could help to resolve arguments. But this acceptance of papal authority was not blind or unquestioning; self-interest saw to that. Kings and other laymen objected to what they saw as papal encroachments on their jurisdiction and to attempts to tax the clergy for purposes to which they were unsympathetic; even the clergy, part of the pyramid of which the pope was the pinnacle, sometimes grumbled and prevaricated. But the objections were more to the exercise of papal power than to papal power as such; the authority of the Holy See was largely accepted as part of the system of government in a hierarchical society.

But it is the grumbling and the complaints which manifested themselves at the local level, and which determined how far the policies of the Papacy could be translated into reality in particular locations. And it is this issue, the extent to which the measures of the Avignon popes were put into practice and what local effect this had, which lies at the heart of this book. Concentrating on the period between the accession of Clement VI in 1342 and the death of Gregory XI in 1378, it examines in detail the various areas of papal involvement in the kingdom of Scotland and the ecclesiastical province of York in northern England. It aims to offer a comparison between two adjoining, but politically distinct and often mutually hostile, geographical areas, and to analyse the impact in them of the manifestation of papal power.

Medieval Scotland was a small, poor country, geographically at the edge of the Christian world, and in political terms relatively unimportant compared with the great powers of England and France. But its people had resisted the attempts of Edward I and Edward II to reduce it to a feudal satellite of its larger southern neighbour; and Scotland became a significant player in the events

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of the Hundred Years War, when its alliance with the French kings meant that England frequently had to fight on two fronts. Its king ruled over a political entity which, by the fourteenth century, was essentially consolidated and held together by more than a mere hostility to England. However, in a mountainous country with a very long seaboard, local interests were strong and royal power correspondingly weak, especially in comparison with England. This had the consequence that the Scottish crown was in a less powerful position than its English counterpart to intervene in ecclesiastical affairs and oppose papal exactions; this was especially so after the king, David II, was captured at the Battle of Neville's Cross near Durham in 1346 and imprisoned for eleven years in England. The Scottish church was also less highly organised than that in England. It was only in the twelfth century that Anglo-Norman influence brought to Scotland the full flowering of a diocesan and parochial structure familiar rather earlier in England, along with a relatively small number of monastic establishments, mostly of the reformed orders such as the Cistercians. The same century, however, also saw the Scottish sees – except that of Whithorn or Galloway in the south-west – receive papal support to sever their ties, always theoretical but nonetheless potentially threatening, with the metropolitan see of York; in the bull *Cum universi* they each became 'special daughters' of the Papacy, a relationship which brought Scotland more securely into the orbit of Roman Christendom. But the reforms were most effective in lowland Scotland, and even there, there remained the vestiges of an earlier ecclesiastical structure, with semi-laicised colleges of Cul-dees and a rather casual attitude towards the canon law on such matters as the need for ordination, a fact which was to be exploited in the fourteenth century. Scotland, like north Wales, was still not quite assimilated into the mainstream of the western church.⁸

Politically, the province of York is not directly comparable with Scotland, for it was merely a part of the kingdom of England. But it was of similar size to Scotland in the number of its parishes, both having over a thousand, and this makes the joint study of the two units valuable. To have examined the whole of England in conjunction with Scotland would have been to subsume the northern kingdom in the much greater volume of evidence from

⁸ For an excellent general account of the late medieval Scottish church see A. Grant, *Independence and Nationhood: Scotland 1306–1469* (London, 1984), chap. 4.

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its larger neighbour. The province of York, moreover, provides a more instructive comparison than England as a whole. It was distant from the centre of affairs, especially when the government's attentions were turned towards France; and like Scotland it suffered from the warfare which was provoked by Edward I's claims to sovereignty north of the border. It also contained its share of mountain and moor, and in economic terms it was much poorer than the south. But essential differences remain. It was still part of the English state, and the extensive authority of the English crown was very much exercised there. What happened nationally – in terms of royal policy towards the French kings, of taxation, and of attempts to limit some aspects of the papal plenitude of power – also affected the northern province. In addition, it contained the sees of two of the wealthiest prelates in Christendom, the archbishop of York and the bishop of Durham; no Scottish churchmen could rival them in worldly riches or potential influence on European affairs. However, the province of York constitutes as valid a point of comparison with Scotland as can be obtained, and one of the purposes of this study is to show how the same papal theories and the same papal policies sometimes (though by no means always) had a different effect on the two sides of the political border.

The period between 1342 and 1378 is of great historical interest. We are able to examine the working of an extensive foreign jurisdiction in northern Britain at a time when it was both wide-ranging and generally tolerated, and to analyse the impact upon it of both war and plague. It is also a period for which the surviving sources, both in Britain and in the Vatican archives, are especially valuable for the sort of study with which this book is concerned. On the papal side, there are extant registers of supplications from 1342 to 1366, two extensive and informative series of registered bulls, including some of political and diplomatic interest, and a range of sources dealing with the financial aspects of the Holy See, most notably a series of accounts from the English collectorate and a unique Scottish collector's account, rendered in 1362. On the local level, episcopal registers survive from all three dioceses of northern England, providing a wealth of information on the local administration of the church, while the central records of the English state – especially the Close and Patent Rolls and the Rolls of Parliament – offer an insight into the nature of any opposition to the Papacy and what, if any, executive measures were taken to

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support that opposition. Scotland has in general been much less fortunate than England in avoiding the ravages of time with regard to its records; a few cartularies have often had to suffice for information on local conditions, although knowledge of English diocesan administration can sometimes be used profitably to illuminate otherwise tantalising references in Scottish sources. It would be misleading not to concede that the local evidence is much more copious in England; but equally it would be negative to dismiss studying the question of papal relations with Scotland on such grounds. The papal records themselves offer plentiful opportunities for useful comparisons with northern England.

Considering the excellent combination of sources and the availability of many of them in print, remarkably little work has been done on papal relations with the British Isles in the fourteenth century, although the papal registers have been used extensively for works of reference such as biographical dictionaries⁹ and lists of benefice-holders.¹⁰ Few historians have specialised in the interpretation of the evidence, W. E. Lunt being an outstanding exception. His magisterial work on the papal finances, with particular reference to England, made use both of material in the Vatican archives and of local sources, and my debt to his careful scholarship is deep; he often illuminates areas outside the strict sphere of taxation, for the imposition and implementation of fiscal policy affected also the level of opposition to papal exactions and was – or became – inextricably linked with the practice of the appointment, or provision, of clerics.¹¹ But in many areas this book is intended to break new ground¹² and to act as a stimulus to similar studies of other localities and other periods.

⁹ D. E. R. Watt, *A Biographical Dictionary of Scottish Graduates to AD 1410* (Oxford, 1977); A. B. Emden, *A Biographical Register of the University of Oxford to AD 1500* (3 vols., Oxford, 1957–9).

¹⁰ Examples include J. Le Neve, *Fasti Ecclesiae Anglicanae, 1300–1541* (new edn, 12 vols., London, 1962–5); D. E. R. Watt, ed., *Fasti Ecclesiae Scoticae Medii Aevi ad Annum 1638* (Scottish Record Soc., 1969); and the volumes of *Fasti Parochiales* published by the Yorkshire Archaeological Society.

¹¹ See especially his *Financial Relations of the Papacy with England to 1327* (Cambridge, Mass., 1939); and *Financial Relations of the Papacy with England, 1327–1534* (Cambridge, Mass., 1962); cf. also his *Papal Revenues in the Middle Ages* (2 vols., New York, 1934). For a similar study in France see C. Samaran and G. Mollat, *La fiscalité pontificale en France au xiv^e siècle* (Paris, 1905).

¹² For other examples of work similar in nature to this see C. Carstens, 'The enforcement of the Statute of Provisors', Ph.D. thesis, Harvard University (1937); P. McDonald, 'The relations between the Papacy and the religious orders in England, 1305–1352', DPhil. thesis, University of Oxford (1984).

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In the past, much historical writing on the fourteenth-century church has been coloured – often subconsciously and rarely deliberately – either by a desire to detect the roots of the sixteenth-century Reformation,¹³ or by a faithfulness to a religious tradition which has often been antagonistic to the Papacy and has condemned most features of medieval ecclesiastical practice.¹⁴ Both show the continued importance of the Reformation in the history of both Scotland and England and its influence on society. It would be presumptuous for me to claim not to have been affected by these historiographical trends; moreover, the great upheaval in the western church in the sixteenth century is an event of such importance that no historian of the late Middle Ages can or should ignore it altogether. But this volume endeavours to examine what contacts there were between the Papacy and northern Britain at a time when papal power, although extensive and (at least within the church) all-pervasive, was fundamentally accepted; there was no inevitability about the Reformation in the middle of the fourteenth century. Papal policies had a bearing on national wealth, for the popes raised taxes and used the proceeds overseas; they in large part determined the personnel of the upper echelons of the ecclesiastical hierarchy and thereby of the government and civil service; they affected the spiritual life of the faithful; and at times they aroused opposition which both demonstrated the limits beyond which papal exactions were deemed unacceptable and provided new opportunities for the age-old clash of authority which is simplistically referred to as the clash between church and state. The issues discussed in this book concern not only the life and administration of the church, but also that of the political entities of which the medieval church was so important a part.

The period under review covers the pontificates of four popes of different characters. Peter Roger, who became Clement VI in 1342, was munificent and magnificent. His extravagance, a reaction to the parsimony of his predecessor Benedict XII, plunged the Papacy into deficit and thereby created severe difficulties for his successors. His generosity in bestowing benefices and other favours led to a

¹³ This is perhaps most notable in the attitude often taken in the past to the 1351 Statute of Provisors: e.g. J. H. Ramsay, *Genesis of Lancaster* (2 vols., Oxford, 1913), I, 375, who wrote, 'It marks the beginning of the breach with Rome.' See below, pp. 141–4.

¹⁴ E.g. J. H. Cockburn, 'Papal collections and collectors in Scotland in the Middle Ages', *RSCHS*, I (1926), 173–99.

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large number of disputes, especially where papal authority conflicted with the rights of the English king. He was widely suspected in England of favouring the interests of the French crown, probably rightly in view of his earlier connections with the French court;¹⁵ and his nepotism did not go unnoticed by contemporaries. His successor, Stephen Aubert, who took the name Innocent VI on his election in 1352, was rather more restrained, although he in no way reduced the Papacy's powers of involvement. He was much less ostentatious than Clement, and was regarded as having an impressionable personality, but he swiftly rejected the proposal agreed to in the conclave to give future popes much less control over the creation and removal of cardinals. He was harsh against those who dwelt at the papal court rather than on their benefices, as was his successor William Grimaud, who was elected as Urban V in 1362. But while it was the penury of the Holy See which had forced Innocent VI into economies, Urban seems genuinely to have hated luxury. He took steps to curb the avaricious elements at the curia; and he sponsored education and tried to link preferment to academic attainment. But he continued the Papacy's policy of making large numbers of appointments to benefices, and his measures to curb pluralism ran up against too many entrenched vested interests to be brought to a successful conclusion. Gregory XI, nephew and namesake of Clement VI, succeeded Urban on 30 December 1370. He did not share the more lordly qualities of his uncle, and tried to continue the reforms of Innocent and Urban. Among a number of diplomatic successes, he came to a compromise with the English king over several controversial issues.¹⁶ But the costs of the papal court continued to necessitate heavy taxation throughout Christendom, and Gregory's pontificate coincided with bitter anti-papal sentiments among the laity represented in the English parliament.

An immediate question to be posed is the extent to which individual popes, however noble their reforming tendencies, could in reality influence events, especially in areas where traditional practices and procedures held sway. The bureaucratic machine could function largely without papal involvement, and it was the increasing power of this machine which marked the Avignon Papacy. Popes could and did involve themselves in matters of

¹⁵ It is unlikely that Clement VI was chancellor of France, but he did preside over the *Chambre des Comptes*: Wood, *Clement VI*, 10–11.

¹⁶ See below, pp. 155–8.

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international politics: D. Wood has shown how Clement VI's partiality towards the French government influenced his handling of negotiations between the warring powers of England and France;¹⁷ Urban V's difficult relationship with Edward III was at least partly caused by a similar pro-French tendency which became intermingled with the question of whether a particular dispensation to marry should be granted or not.¹⁸ But in the everyday business with which this book is primarily concerned, individual pontiffs were usually both disinclined to intervene and powerless to influence particular decisions for good or ill. Urban's attempt to limit the abuse of pluralism foundered partly because it aroused too much opposition, but partly also because the complexity and legalism of the system did not permit swift and lasting change. The Avignon popes were certainly not puppets of their bureaucracy, but in routine matters the influence of that bureaucracy should not be overlooked.

During the Avignon Papacy, the central administration of the Roman church was divided between four chief institutions: the Chancery; the Apostolic Camera; the Penitentiary; and the organs of papal justice. The system was complex, with many built-in safeguards to try to prevent injustice or fraud, and only the briefest of descriptions is offered here.¹⁹ The Chancery consisted of several departments involved with the despatch of papal letters and with bringing to the pope's attention the petitions which preceded them. It also contained the office for examining non-graduate clerks who had supplicated for benefices. If the beneficiary so desired, the Chancery would register his bull; the registers thus created are a priceless source of information on the grants made. The Camera (or chamber) dealt with the financial affairs of the Holy See; it was presided over by the *camerarius*, who among other duties appointed and supervised the collectors who were responsible for the levy locally of many papal taxes. The collectors' accounts and other cameral sources record not only receipts but often also give reasons for non-payment, thereby frequently casting light on whether particular papal provisions had borne fruit or not. The administration of justice was by 1342 divided into four: the pope and his cardinals in consistory; cardinals' tribunals; the

¹⁷ Wood, *Clement VI*, chap. 6.

¹⁸ See below, pp. 146–52.

¹⁹ See generally Mollat, *Popes*, 285–305. Cf. also C. R. Cheney, 'The study of the medieval papal chancery', in his *The Papacy and England, 12th–14th Centuries* (London, 1982), no. 1; Lunt, *Papal Revenues*, 1, 15–25.

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audientia litterarum contradictarum (where legal challenges and objections were made to the plaintiff or magistrate); and the Court of the Apostolic Palace or Rota. Collectively they dealt with lawsuits, including those over benefices, which were brought to the Holy See in the first instance or on appeal, and represented the pope in his capacity as judge. The Penitentiary had a similar function in lifting canonical sentences and granting dispensations to those who had acted – or intended to act – in breach of requirements of canon law; the office also heard confessions and granted absolution. The records of the Penitentiary and the judicial organs of the curia do not survive from the fourteenth century, and information on the pope's use of his judicial and dispensing powers has to be gleaned largely from the Chancery records or from local sources.

The principal features of papal relations with the British Isles in the period before the Great Schism were taxation, provisions, judicial matters and the use of the Holy See's authority to dispense. There was also a considerable volume of correspondence of a diplomatic nature, a result of the Hundred Years War. This last area is not discussed in this study, because the book is concerned with the impact of papal practices locally, in Scotland and northern England, rather than with the role of the Papacy as a mediator in a major international conflict.²⁰ Of the issues which are examined, taxation and papal provisions are the most weighty; they were the areas which contemporaries found most controversial and which therefore aroused the strongest feelings among those who felt themselves adversely affected by them.

Provision was the practice whereby the pope appointed a clerk to a particular benefice or reserved for a clerk a benefice which was not vacant but would in due course become so. As will be seen, the system had strict rules, and the scale of its use was largely determined by the number of individual churchmen who elected to avail themselves of it. But it severely limited local patronage and inevitably aroused opposition, although this was more noticeable among the laity than the clergy. Most provisions affected prebends in cathedrals or collegiate churches; these were benefices which did

²⁰ For some works on this see E. Déprez, 'La conférence d'Avignon (1344): l'arbitrage pontifical entre la France et l'Angleterre', in *Essays in Medieval History Presented to Thomas Frederick Tout*, ed. A. G. Little and F. M. Powicke (Manchester, 1925), 301–20; G. Mollat, 'Innocent VI et les tentatives de paix entre la France et l'Angleterre', *Revue d'histoire ecclésiastique*, 10 (1909), 729–43; E. Perroy, *L'Angleterre et le Grand Schisme d'Occident* (Paris, 1933), chap. 1.

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not involve the pastoral care of parishioners, for, although most of them drew their revenues from a parish, a substitute was almost always permanently resident locally to exercise the cure of souls. Prebends were also frequently held by royal servants, and the reader should bear in mind that most provisors were no less attentive to the needs of the faithful than the majority of royal clerks. But provisions had their price; from 1342 the heavy tax called annates had to be paid on all successful provisions to benefices which were already vacant at the time of the grant. Papal taxation and the practice of provision therefore became closely linked, which was one of the reasons why the English parliament opposed both so vehemently. The way in which the various forces at work battled and compromised is one of the chief themes of the following chapters.